

#4

Docket No. 1795/57746-A-PCT-US/JPW/ADM/PL

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Applicants : Mohammad R. Marzabadi, et al  
U.S. Serial No.: 10/019,881 Int'l App'l No.  
PCT/US00/11004  
Entered U.S. : December 27, 2001 Int'l Filing Date:  
National Stage April 21, 2000  
For : SELECTIVE NPY (Y5) ANTAGONISTS

1185 Avenue of the Americas  
New York, New York 10036  
April 8, 2002

Assistant Commissioner for Patents  
BOX PCT  
Washington, D.C. 20231  
ATTN: DO/EO/US

Sir:

**COMMUNICATION IN RESPONSE TO February 7, 2002  
NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. §371**

This Communication is submitted in response to a Notification Of Missing Requirements Under 35 U.S.C. §371 issued February 7, 2002 in connection with the above-identified application. A copy of the Notification is attached hereto as **Exhibit A**. A response to the February 7, 2002 Notification was due April 7, 2002. However, since April 7, 2002 is a Sunday, under C.F.R. §1.7, a response may be filed on the next day which is not a Saturday, Sunday, or Federal Holiday, i.e. today, Monday, April 8, 2001. Accordingly, this Communication is being timely filed.

The Notification indicates that an oath executed in accordance with 37 C.F.R. §1.66 or a declaration executed in accordance 37 C.F.R. §1.68 is required. In response, applicants submit as **Exhibit B** hereto an original signed Declaration and Power of Attorney executed in accordance with 37 C.F.R. §1.68 and in compliance with

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37 C.F.R. §1.497(a) and (b). In compliance with 37 C.F.R. §1.497(a), the Declaration refers to the application's above-identified International Application Number, International Filing Date, U.S. Serial Number, and date of U.S. National entry.

The surcharge for submitting the Declaration for a non-small entity is the ONE-HUNDRED THIRTY DOLLAR (\$130.00) fee set forth in 37 C.F.R. §1.492(e) and a check including this amount is enclosed.

The Notification also indicates that additional claim fees of TWO HUNDRED EIGHTY DOLLARS (\$280.00) for a non-small entity, including any required multiple dependent claim fee, are required. In response, applicants submit a check including this amount.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone the number provided below.

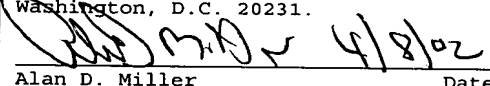
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No fee, other than the enclosed \$410.00 fee (\$130.00 surcharge for filing Declaration and \$280.00 additional claim fee), is deemed necessary in connection with the filing of this Communication. However, if any other fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White  
Registration No. 28,678  
Alan D. Miller  
Registration No. 42,889  
Attorneys for Applicants  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, BOX PCT, Washington, D.C. 20231.	
 Alan D. Miller	4/8/02 Date
Reg. No. 42,889	

04/22/2002 MNGUYEN 00000081 10019881

01 FC:154	130.00 DP
02 FC:968	280.00 DP



## UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
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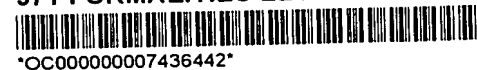
U.S. APPLICATION NUMBER NO. 10/019,881	FIRST NAMED APPLICANT Novartis Ag	ATTY. DOCKET NO. 57746-A-PCT-US/JPW/FHB		
		INTERNATIONAL APPLICATION NO. PCT/US00/11004		
		<table border="1"> <tr> <td>I.A. FILING DATE 04/21/2000</td> <td>PRIORITY DATE 06/30/1999</td> </tr> </table>	I.A. FILING DATE 04/21/2000	PRIORITY DATE 06/30/1999
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John P White  
Cooper & Dunham  
1185 Avenue of the Americas  
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FEB 13 2002

CONFIRMATION NO. 8075

371 FORMALITIES LETTER



\*OC000000007436442\*

received  
[Signature]

Date Mailed: 02/07/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

2/7/2002  
MPDme: 4/7/2002  
MPExt: 5/7/2002  
MPExt: 6/7/2002  
MPExt: 7/7/2002  
MPExt: 8/7/2002  
MPDeadline: 9/7/2002 SML

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

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Exhibit A

- The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Additional claim fees of **\$280** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$410** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$280**
  - **\$280** for multiple dependant claims surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/019,881	PCT/US00/11004	57746-A-PCT-US/IPW/FHB